

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO**

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Case Title: Andy J. Cordova and Sandra D. Cordova

Case Number: 05-13832

Document Information

Description: Stipulated Order By and Between Debtor Sandra D. Cordova, Debtor Andy J. Cordova, Employer University of New Mexico and Trustee Kelley L. Skehen, Directing Employer to Pay Trustee .

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Filer Information

Submitted By: Mary Anderson

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**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW MEXICO**

In Re:
Andy J. Cordova
Sandra D. Cordova

No. 13-05-13832 SA

Debtors.

STIPULATED ORDER DIRECTING EMPLOYER TO PAY TRUSTEE

THIS MATTER came before the Court upon the stipulation of the Debtor(s), through counsel, Diane Webb, Attorney at Law, P.C. (Diane Webb), Debtor(s) employer, and the Chapter 13 Trustee to entry of the wage withholding order directing Debtor(s) employer to deduct Debtor(s) plan payment directly from Debtor(s) wages and to pay the deduction to the Chapter 13 Trustee. The Court, being sufficiently advised in the premises, FINDS:

A. The Debtor(s) filed a petition for relief under Chapter 13 of the Bankruptcy Code on May 12, 2005.

B. Kelley L. Skehen is the duly appointed and acting Chapter 13 Bankruptcy Trustee for this case. Payments to be made under this Order should be made to: Chapter 13 Trustee.

C. Debtor, Andy Cordova, Social Security No. XXX-XX-9602, is employed by University of New Mexico, 608 Buena Vista NE, Albuquerque, NM 87130. The Debtor(s) address is 607 Kinley Rd. NW, Albuquerque.

D. Under 28 USC §1471(e) and 11 USC §1325(b), this Court has exclusive jurisdiction over all property including the earnings from services performed by the Debtor during the pendency of this case.

E. A portion of the Debtor(s) earnings from services are necessary for the execution of the Debtor(s) plan.

IT IS THEREFORE ORDERED:

1. The employer shall deduct from the Debtor's earnings the sum of **\$392.31** bi-weekly from the Debtor's wages, salary, and commissions and pay the sum to:

Chapter 13 Trustee
P.O. Box 1788
Albuquerque, NM 87102

commencing with the first payment of wages, salary, and commissions after receipt of this Order and within ten (10) days from the date of each deduction, until further order this Court.

2. **Payments made to the Chapter 13 Trustee herein shall include notation of the Debtor's name and the above-captioned case number.**

3. Employer shall notify the Trustee if the employment of the Debtor is terminated and the date of such termination.

4. The payment to the Chapter 13 Trustee is to be deducted from the Debtor's wages even though the may not be receiving a full paycheck.

5. The Debtor does not have the authority to request a discontinuation of this deduction without written permission from the Court.

6. No deductions on account of any garnishment, wages assignment, or other purpose not specifically authorized by the Court, other than deductions for taxes, social security, FICA, worker's compensation, and insurance, can be made from the earnings of the Debtor, except **.

7. This Order supercedes all previous Orders made to the employer in this case.

8. Notwithstanding entry of this Order, the Debtor's shall be responsible for ensuring that all plan payments due under the terms of the confirmed plan are timely made.

9. This Order shall terminate automatically upon Debtor's termination of employment, and with the entry of an Order dismissing or converting this bankruptcy case.

10. A failure by the employer to obey this wage deduction order may result in the issuance of subpoena, an order to show cause, and/or an appearance in Court to show cause to explain why the employer has not abided by the terms and conditions of this Order.



U.S. BANKRUPTCY JUDGE

Submitted and Approved,
DIANE WEBB, ATTORNEY AT LAW, P.C.,

By s/ signature on file

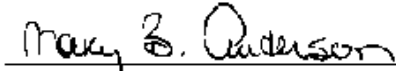
Diane Webb
P.O. 1156
Albuquerque, NM 87103-1156
(505) 243-0600
Facsimile: (505) 243-5785

Approved:
Telephonic Approval 12/5/2005
Kelley L. Skehen, Chapter 13 Trustee
625 Silver SW, Suite 350
Albuquerque, NM 87102
(505) 243-1335
Facsimile: (505) 247-2709

s/ original signature in Debtors' Attorney File

Scot Sauder
Title/position: Interim University Counsel
Employer: University of New Mexico
Address: MSC09 5300
1 University of New Mexico
Albuquerque, NM 87131-0001
(505) 277-5035

I hereby certify that on December 9, 2005, a true and correct copy of the foregoing was electronically transmitted, faxed, delivered, or mailed to the listed counsel and/or parties.



Mary B. Anderson